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PTO/SB/21 (11-08)

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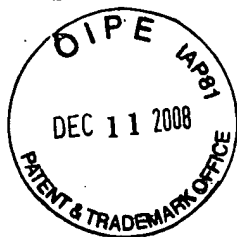
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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/810,505-Conf. #8177
	Filing Date	March 26, 2004
	First Named Inventor	Eri KOJIMA
	Art Unit	1795
	Examiner Name	R. Alejandro
Total Number of Pages in This Submission	Attorney Docket Number	5271-0113PUS1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Statement of Substance of Interview
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	BIRCH, STEWART, KOLASCH & BIRCH, LLP		
Signature			
Printed name	John W. Bailey		
Date	DEC 11 2008	Reg. No.	32,881



Docket No.: 5271-0113PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Eri KOJIMA et al.

Application No.: 10/810,505

Confirmation No.: 8177

Filed: March 26, 2004

Art Unit: 1795

For: NEGATIVE ELECTRODE HAVING  
INTERMETALLIC COMPOUND THAT  
OCCLUDES/DESORBS LITHIUM AS AN  
ACTIVE MATERIAL LAYER ON  
COLLECTOR FOR NON-AQUEOUS  
SECONDARY BATTERY AND NON-  
AQUEOUS SECONDARY BATTERY USING  
THE SAME

Examiner: R. Alejandro

**STATEMENT OF SUBSTANCE OF INTERVIEW IN  
ACCORDANCE WITH MPEP §713.04**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Madam:

Applicant submits herewith a statement on the substance of the telephonic interview held on October 29, 2008.

All pending claims were discussed. An agreement with respect to the claims was reached. Applicant's representative gave authorization to make an Examiner's amendment so as to place the present application in condition for allowance.

Application No.: 10/810,505

Docket No.: 5271-0113PUS1

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: **DEC 11 2008**

Respectfully submitted,

By 

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